

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

TQ DELTA, LLC,

Plaintiff,

v.

COMMSCOPE HOLDING COMPANY,
INC., COMMSCOPE INC., ARRIS
INTERNATIONAL LIMITED, ARRIS
GLOBAL LTD., ARRIS US HOLDINGS,
INC., ARRIS SOLUTIONS, INC., ARRIS
TECHNOLOGY, INC., and ARRIS
ENTERPRISES, LLC,

Defendants.

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CIVIL ACTION NO. 2:21-CV-00310-JRG
(LEAD CASE)

v.

NOKIA CORP., NOKIA SOLUTIONS
AND NETWORKS OY, and NOKIA OF
AMERICA CORP.,

Defendants.

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CIVIL ACTION NO. 2:21-CV-00309-JRG
(MEMBER CASE)

ORDER

Before the Court is TQ Delta, LLC’s (“TQ Delta”) Opposed Motion to Extend the Fact Discovery Deadline as to Non-Party AT&T (the “Motion”). (Dkt. No. 264). In the Motion, TQ Delta requests that the Court extend the fact discovery deadline from August 19, 2022, to September 30, 2022, as to “documents and things that may be produced in response to a third-party subpoena served by TQ Delta on non-party AT&T, Inc. (‘AT&T’).” (*Id.* at 2). TQ Delta represents that TQ Delta and AT&T have been actively conferring in an attempt to resolve outstanding disputes concerning AT&T’s objections to the subpoena. (*Id.*).

In the Certificate of Conference, TQ Delta represents that the Motion is opposed “because the Defendants did not agree to the extension [of] the fact discovery deadline requested above.” (*Id.* at 5). The Motion was filed on August 19, 2022, and after a careful review of the docket, neither Defendants CommScope Holding Company, Inc., CommScope Inc., ARRIS US Holdings, Inc., ARRIS Solutions, Inc., ARRIS Technology, Inc., and ARRIS Enterprises, LLC (collectively, “CommScope”) nor Defendants Nokia Corp., Nokia Solutions and Networks Oy, and Nokia of America Corp.’s (collectively, “Nokia”) (together with CommScope, “Defendants”) filed a response within the 14-day deadline.¹ Given that Defendants failed to timely respond, the Court concludes that the Motion is unopposed.²

Having considered the Motion, and noting that it is unopposed, the Court finds that it should be and hereby is **GRANTED**. Accordingly, the Court **ORDERS** that the deadline for fact discovery only as to the information that may be produced by AT&T in response to the third-party subpoena served by TQ Delta is **extended** up to and including **September 30, 2022**.

So ORDERED and SIGNED this 16th day of September, 2022.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE

¹ “A party opposing a motion has fourteen days . . . from the date the motion was served in which to file a response and any supporting documents.” Local Rule CV-7(e).

² “A party’s failure to oppose a motion in the manner prescribed herein creates a presumption that the party does not controvert the facts set out by movant and has no evidence to offer in opposition to the motion.” Local Rule CV-7(d).